

United States District Court

for the

Eastern District of Pennsylvania

U.S.A. vs. Thomas Devine

Case No. 2:06CR00535-01

Petition on Supervised Release

COMES NOW Jonathan J. Henshaw Senior U.S. PROBATION OFFICER of the COURT presenting an official report upon the conduct and attitude of Thomas Devine who was placed on supervised release by the Honorable Louis H. Pollak sitting in the Court at Philadelphia, PA, on the 15th day of September, 2008 who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

ORIGINAL OFFENSE: Possession of child pornography (Count One).

ORIGINAL SENTENCE: Custody of the U.S. Bureau of Prisons for a term of 78 months, following by three years of supervised release. A \$100 special assessment was also imposed.

SPECIAL CONDITIONS: 1) The defendant shall participate in a mental health program for evaluation and/or treatment and abide by the rules of any such program until satisfactorily discharged and with the approval of the U.S. Probation Office; 2) The defendant shall follow the direction of the U.S. Probation Office regarding any contact with children of either sex, under the age of 18. The defendant shall not obtain employment or perform volunteer work which includes, as part of its job/work description, contact with minor children. The probation officer may have the right of reasonable search of the defendant, his/her residence, or any other establishment with the defendant's custody or control, and may, if necessary, request the assistance of other law enforcement personnel to enforce the provisions of this special condition; 3) The defendant shall register with the state sex offender registration agency in any state where the defendant resides, is employed, carries on a vocation, or is a student, as directed by the probation officer; 4) The defendant shall submit to an initial inspection by the U.S. Probation Office and to any examinations during supervision of the defendant's computer and any devices, programs, or application. The defendant shall allow the installation of any hardware or software systems which monitor or filter computer use. The defendant shall abide by the standard conditions of computer monitoring not to exceed the monthly contractual rate, in accordance with the probation officer's discretion; and, 5) The defendant shall pay a \$2,000 fine in monthly installments of not less than \$100, to commence 30 days after his release from imprisonment.

RE: DEVINE, Thomas
Case: 2:06CR00535-01

JUDICIAL
REASSIGNMENT:

On December 2, 2014, jurisdiction of this matter was reassigned to the calendar of Honorable Juan R. Sánchez.

MODIFICATION:

On December 11, 2014, the Court approved an unopposed Modification Petition ordering the defendant to participate in a sex offender program for evaluation and treatment and abide by the rules of any such program until satisfactorily discharged. While in the treatment program, the defendant shall submit to risk assessment, psychological testing, and physiological testing, which may include, but is not limited to, polygraph or other specific tests to monitor compliance with the supervised release and treatment conditions.

SUPERVISION
START DATE:

August 29, 2014

SUPERVISION
END DATE:

August 28, 2017

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

In August 2015, the defendant was diagnosed with lung cancer and on April 10, 2016, despite a course of chemotherapy, he succumbed to his illness. Mr. Devine's death has been confirmed by his daughter, Jennifer Ihrig, and by a review of his death certificate.

During the course of his supervised release, the defendant was in compliance with the conditions of his supervision. He participated in sex offender treatment at Specialized Counseling Associates and there was no known information to suggest that he had Internet access or contact with minors. Additionally, the defendant satisfied both his special assessment and his fine.

On June 3, 2016, Assistant U.S. Attorney Karen L. Grigsby was informed of Mr. Devine's death and that this Petition would be forwarded for Your Honor's review.


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In view of the above, the following prayer is offered for the Court's consideration.

PRAYING THAT THE COURT WILL ORDER...

**THAT THE TERM OF
SUPERVISED RELEASE
IMPOSED ON SEPTEMBER 15,
2008, BE TERMINATED DUE
TO THE DEFENDANT'S
DEATH.**

I declare under penalty of perjury
that the foregoing is true and correct.



Debra A. Brink
Supervising U.S. Probation Officer

Place Philadelphia, PA

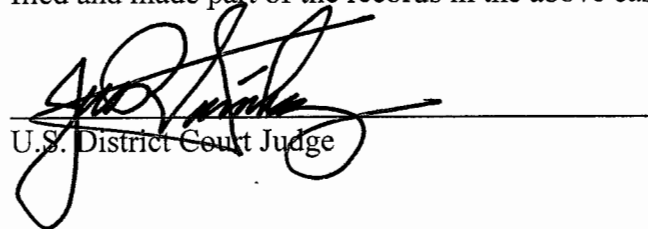
Date June 6, 2016

JJH
Attachment

cc: Assistant U.S. Attorney
Defense Attorney

ORDER OF THE COURT

Considered and ordered this 9th
day of June, 2016 and ordered
filed and made part of the records in the above case.



U.S. District Court Judge